

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
Civil Action No.: 3:03CV388

JAMES DAVID CASE, as Personal )  
Representative of the Estate of )  
DAVID SCOTT CASE, )  
Plaintiff, )  
v. ) ORDER  
M.C. STEWART and GASTON )  
COUNTY )  
Defendants. )

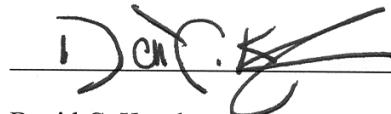
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**THIS MATTER IS BEFORE THE COURT** *sua sponte* to review the status of the action.

The Court notes that a Motion for Summary Judgment was filed on June 12, 2006 by the Defendants and the Plaintiff has filed no response. To facilitate resolution of this dispute on the merits, the Court in its discretion will allow the Plaintiff a brief additional time in which to respond to the pending motion.

**IT IS, THEREFORE, ORDERED** that the Plaintiff will have up to and including September 14, 2006, in which to respond to the Defendants' Motion for Summary Judgment (Document Nos. 24 and 25). Whether the Plaintiff files a response or not, it is the Court's intention to dispose of the motion at that time.

Signed: September 6, 2006

  
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David C. Keesler  
United States Magistrate Judge  
